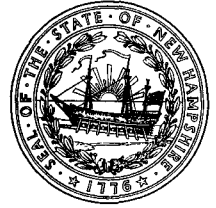




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Jim Bento
Forest Glenn Inn
PO BOX 438
North Conway, New Hampshire 03860

LETTER OF DEFICIENCY
WMB PBF 05-06
March 25, 2005

Dear Mr. Bento:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On February 16, 2005, DES inspected the following public bathing facilities at the Forest Glenn Inn in North Conway, NH: (a) the indoor spa ("Left Spa"); (b) the indoor spa ("Right Spa").

During this inspection, the following deficiencies were noted:

1. The inspection on February 16, 2005 revealed that the Right Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Spa water:
 - a. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Spa water contained greater than 200 CTS/100mL.
2. Pursuant to Env-Ws 1103.16(a), disinfection of spa water shall be achieved by continuous feed equipment. The Left Spa and Right Spa are currently being disinfected by hand feeding.
3. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for the Left Spa and Right Spa did not include a flow meter.

On March 16, 2005, pursuant to Env-Ws 1103.14(b), DES re-inspected the following public bathing facilities at the Forest Glenn Inn in North Conway, NH: the indoor spa ("Right Spa").

During this inspection, the following deficiencies were noted:

1. The inspection on March 16, 2005 revealed that the Right Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Spa water:
 - a. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Right Spa water contained greater than 200 CTS/100mL.
2. Env-Ws 1103.16(e) requires a free residual bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L chlorine. The bromine concentration of the Right Spa water was 1.8 mg/L on March 16, 2005.
3. Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Right Spa water was 6.6 on March 16, 2005.

During a phone conversation on March 25th, 2005, you notified DES staff that the indoor spas are currently being disinfected by hand feeding.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. The type, manufacture, and model of the bromine feeders to be installed.
2. The type, manufacture, and model of the flow meters to be installed.
3. A timetable of when:
 - a. the installation of the bromine feeders will be completed; and
 - b. the installation of the flow meters will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7477

Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES ✓
Tim Wilson, Public Bathing Facility Coordinator, DES
Kenneth Kiesman, Health Officer, Town of North Conway